

REMARKS/ARGUMENTS

The rejection presented in the Office Action dated December 9, 2008, (hereinafter Office Action) has been considered but is believed to be improper. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Applicant respectfully maintains the traversals of each of the § 103(a) rejections because the asserted combinations of teachings fail to correspond to the claimed invention. Specifically, the asserted teachings of Chihara, Bodley, and Bonta fail to teach or suggest each of the limitations of independent Claims 1 and 10. For example, contrary to the assertion at pages 6 and 7 of the Office Action, Chihara does not disclose the limitations directed to: *“indicating the incoming connection request in one or more peripheral units but not in the cellular core unit, when the LPRF connection between the cellular core unit and a peripheral unit is available”*. The assertion that Fig. 1, column 10, lines 9-13, of Chihara would describe or even suggest this feature is incorrect because this portion of Chihara only teaches that with the arrival of an incoming call at the mobile telephone device 11, the incoming call arrival announcing signal, including the telephone number of the calling party, is sent to the wrist watch-type information apparatus 12. However, Chihara does not teach that the incoming connection request is **not indicated in** the mobile telephone device 11 (asserted as corresponding to the claimed cellular core unit). Rather, in Chihara, the connection request is **always** indicated in the mobile telephone device. Even though the incoming call arrival announcing signal is sent to the wrist watch-type information apparatus (asserted as corresponding to a claimed peripheral device), this does not mean that the incoming call arrival announcing signal is not indicated in the mobile telephone. The fact that a user would be able to check the name of the calling party using the LCD 44 of the wrist watch-type information apparatus does not prevent the user from using the mobile telephone to check the incoming call.

Also, contrary to the assertion at page 8 of the Office Action, Chihara does not disclose the feature of *“establishing an incoming connection to the peripheral unit in which the incoming connection request has been accepted”*. Specifically, the assertion that

column 10, lines 26 - 40 of Chihara would describe these limitations is incorrect because the cited portion only teaches that the wrist watch-type information apparatus 12 (asserted as corresponding to the peripheral unit in which the incoming connection request has been accepted) transfers an incoming call response instruction to the mobile telephone device 11. However, the actual incoming connection is established to the **headset** after the incoming connection request has been accepted in the wrist watch-type information apparatus 12 or in the mobile telephone device 11 and therefore **not** to the peripheral unit in which the incoming connection request has been accepted. Instead, Chihara teaches that the incoming connection is established to a different peripheral unit than that in which the incoming connection request has been accepted. Thus, the asserted alignment of Chihara's teachings fails to teach or suggest at least the above-described limitations.

In addition, Bonta fails to correspond to the asserted limitations absent from the teachings of Chihara and Bodley. Contrary to the assertion at pages 10 and 11 of the Office Action, Bonta fails to correspond to the limitations directed to "*receiving a connection request from another peripheral unit other than the peripheral unit to which the incoming connection has been established*", "*indicate in the other peripheral unit about transferring the connection to the other peripheral unit*", and "*transfer the established incoming connection to the peripheral unit that has requested the connection*". As previously explained, Bonta is directed to a local network of cellular devices, which does not correspond to the claimed peripheral devices. While the relied-upon dedicated connection between different cellular devices (CD1, CD2, CD3, and CD4) includes a Blue-tooth link for signaling and traffic connection between a master cellular device CD2 and any of the other cellular devices that choose to participate in the conversation, another cellular phone is **not** a peripheral unit of a first cellular phone in Bonta. A peripheral device is optimized for a specific task, such as phone calls, messaging, browsing, imaging, music etc., and is connected to a core unit with a LPRF connection. Each of the cellular devices of Bonta would be recognized by a skilled artisan as a core unit since the other cellular devices are not dedicated to a specific task to support or expand the usability of a first core unit. Thus,

none of the cellular devices in Bonta's local network correspond to the claimed peripheral unit.

Moreover, Bonta's dedicated connection that includes the Bluetooth link is relayed to the other devices, *i.e.* not transferred. Transfer of a connection from one link to another means substituting the link by the other; whereas, relaying the connection means that both links are used. In Bonta, the cellular reception of a call is transferred from a master cellular device to another cellular device in such a way that the master cellular device CD1 receives a request from an answering slave CD2 to become the new master after which all call control functions are transferred to the new master CD2 (paragraphs [0016-0017]). This does not correspond to "*transferring the established incoming connection to the peripheral unit that has requested the connection*" for at least three reasons.

First, Bonta merely teaches that the **call control functions** are transferred, not an **established call**, *i.e. established incoming connection*. Thus, in Bonta, the call has not been answered yet by any device before the transferring of the call control functions is carried out from CD1 to CD2, *i.e.* the incoming connection has not been established yet. It is the new master cellular device, CD2, which first answers the call after the call control functions have been transferred to it. Second, the cellular device CD2 of Bonta does not correspond to the claimed peripheral device for the reasons set forth above. Third, Bonta's Bluetooth link is only an "extra" connection between the cellular device receiving the cellular connection and other cellular devices that wish to participate in the conversation; whereas, in the present application the Bluetooth link is always there between the peripheral unit to which the incoming connection has been established and the cellular core unit since the peripheral unit cannot receive a cellular connection by itself.

Since the asserted teachings do not correspond to, or suggest, several of the claimed limitations, the asserted combination of such teachings fails to teach or suggest each of the claimed limitations. To establish *prima facie* obviousness of a claimed invention all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); and moreover, "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382,

1385, 165 USPQ 494, 496 (CCPA 1970). *See, e.g.*, MPEP § 2143.03. The asserted modification of Chihara with Bodley and Bonta on page 11 of the Office Action would not correspond to the claimed invention. Without at least correspondence to each of the claim limitations, the § 103(a) rejection is improper. Applicant accordingly requests that the rejections be withdrawn.

Dependent Claims 2-5, 7-9, 11-14, and 16-18 depend from independent Claims 1, and 10, respectively, and each of these dependent claims also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the above-discussed teachings of Chihara, Bodley, and Bonta. While Applicant does not acquiesce to any particular rejections to these dependent claims, including any assertions concerning descriptive material, obvious design choice and/or what may be otherwise well-known in the art, these rejections are moot in view of the remarks made in connection with the independent claims. These dependent claims include all of the limitations of their respective base claims and any intervening claims, and recite additional features which further distinguish these claims from the cited references. “If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious.” MPEP § 2143.03; *citing In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, dependent Claims 2-5, 7-9, 11-14, and 16-18 are also patentable over Chihara, Bodley, and Bonta.

With particular respect to the rejection of Claims 19 and 20, the teachings of Chihara and Bodley also fail to teach or suggest each of the claimed limitations. Contrary to the assertion at pages 25 and 26 of the Office Action, Chihara does not disclose the limitations directed to “*indicating the incoming connection request in one or more peripheral units but not in the cellular core unit, when the LPRF connection between the cellular core unit and a peripheral unit is available*”. As set forth above, the cited portion of Chihara only teaches that with the arrival of an incoming call at the mobile telephone device 11, the incoming call arrival announcing signal, including the telephone number of the calling party, is sent to the wrist watch-type information apparatus 12. However, Chihara does not teach that the incoming connection request is **not indicated in a cellular core unit**. Further, the Office Action does not identify where either of the asserted

references teaches indicating an incoming connection request on a cellular core unit when, during the indication concerning the incoming connection request to the peripheral unit, the LPRF connection between the cellular core unit and the peripheral unit is lost. As explained previously, the cited portion of Bodley merely teaches transferring voice signals from a cell phone to the headset without any discussion of transferring signals or requests from the headset to the cell phone. Also, Bodley does not teach or suggest transferring indications on incoming connection requests to or from the headset. Instead, Bodley teaches at Col. 10, lines 27-29 that the connection request is always indicated in the cell phone (asserted cellular core unit). Thus, the asserted modification of Chihara with Bodley on pages 28 and 31 of the Office Action does not correspond to the claimed invention. Without at least correspondence to each of the claim limitations, the § 103(a) rejection is improper, and Applicant accordingly requests that the rejection be withdrawn.

It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (KOLS.172US) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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